



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RQ-2

January 6, 2011

Cabell Hobbs, Treasurer  
Cornilles for Congress  
P.O. Box 2272  
Tualatin, OR 97062

**Response Due Date:**  
**February 10, 2011**

Identification Number: C00464107

Reference: Amended October Quarterly Report (7/1/10 - 9/30/10), received 12/2/10

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **Failure to adequately respond by the response date noted above could result in an audit or enforcement action.** Additional information is needed for the following 4 items:

1. Schedule A of your report discloses one or more contributions that appear to be from a corporation(s) and/or labor organization(s) (see attached). 2 U.S.C. § 441b(a) prohibits the receipt of contributions from corporations and labor organizations unless made from separate segregated funds established by the corporations and labor organizations.

If any apparently prohibited contribution in question was incompletely or incorrectly disclosed, you must amend your original report with clarifying information.

If you have received prohibited contributions, you must make a refund. (11 CFR § 103.3(b)(1)) The refund must be made within thirty (30) days of the treasurer becoming aware of the illegality of the contribution. (11 CFR § 103.3(b)(2))

Please inform the Commission of your corrective action immediately and provide a photocopy of any refund checks. Refunds must be reported on a Schedule B supporting Line 20(a) of the report covering the period in which the refund was made. (11 CFR § 104.8(d)(4))

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Although the Commission may take further legal action, prompt action by you to refund the prohibited amount will be taken into consideration.

2. Schedule A of your report discloses one or more contributions that appear to exceed the limits set forth in the Act (see attached). You should examine all of your contributions to check for additional excessive contributions. The Committee's procedures for processing contributions should also be reviewed.

An individual or a political committee other than an authorized committee or a qualified multi-candidate committee may not make a contribution to a candidate for federal office in excess of \$2,400 per election. An authorized committee may not make a contribution to a candidate for federal office in excess of \$2,000 per election. A qualified multi-candidate committee and all affiliated committees may not make a contribution(s) to a candidate for federal office in excess of \$5,000 per election. The term "contribution" includes any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for federal office. (2 U.S.C. § 441a(a) and (f); 11 CFR §§ 110.1(b), (e) and (k), and 102.13(c))

If any apparently excessive contribution in question was incompletely or incorrectly reported, you must amend your original report with clarifying information.

The Commission notes your request for the redesignation and/or reattribution of some of these contributions. Please be reminded that all refunds, redesignations and reattributions must be made within sixty (60) days of receipt of the contribution. To date, one or more of the apparent excessive contributions have not been refunded, redesignated, or reattributed.

For reattributions, the funds can be retained if within sixty (60) days of receipt the excessive amount was properly reattributed to another person. An excessive contribution is considered properly reattributed if (1) the contributors provide the committee with written documentation, signed by each contributor, authorizing a reattribution and indicating the amount of the contribution to be attributed to each contributor, or (2) the committee reattributes, by presumption, the excessive portion of the contribution if the contribution was made on a written instrument from a joint account and was signed by only one of the account holders. In this case, the treasurer must notify the contributors in writing within 60 days of receiving the

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contribution that the committee intends to reattribute the excessive portion and must give the contributor who signed the check an opportunity to request a refund. (11 CFR § 110.1(k)(3)(ii)(B))

For redesignations, the funds can be retained if within sixty (60) days of receipt, the excessive amount was properly designated for a different election. An excessive contribution is considered properly redesignated if (1) the committee obtains signed written documentation from the contributor(s) authorizing the redesignation of the contribution for another election, provided that the new designation does not exceed the limitations on contributions made with respect to that election, or (2) the committee redesignates, by presumption, the excessive portion of the contribution for another election provided that the new designation does not exceed the limitations on contributions made with respect to that election. In this case, the treasurer must notify the contributor of the redesignation in writing within 60 days of the treasurer's receipt of the contribution. The notification must give the contributor an opportunity to request a refund. (11 CFR § 110.1(b)(5)(ii)(B)) A contribution can only be redesignated to a previous election to the extent that the contribution does not exceed the committee's net debts outstanding for that election. (11 CFR § 110.1(b)(3)(i))

If the foregoing conditions for reattributions or redesignations are not met within 60 days of receipt, the excessive amount must be refunded. (11 CFR § 103.3(b)(1))

Please inform the Commission of your corrective action immediately in writing and provide photocopies of any refund checks, and/ or letters reattributing or redesignating the contributions in question. Refunds are reported on Line 20 of the Detailed Summary Page and on a supporting Schedule B of the report covering the period in which they are made. Redesignations and reattributions are reported as memo entries on Schedule A of the report covering the period in which the authorization for the redesignation and/or reattribution is received. (11 CFR § 104.8(d)(2), (3) and (4))

The acceptance of excessive contributions is a serious problem. Again, the committee's procedures for processing contributions should be examined and corrected in order to avoid this problem. Although the Commission may take further legal action, prompt action by you to refund or redesignate and/or reattribute of the excessive amount will be taken into consideration.

3. Schedule A of your report discloses one or more contributions that appear to be from limited liability corporation(s) (LLC) (see attached). 11 C.F.R. §110.1(g) allows the receipt of contributions from LLCs providing the LLC is treated as a partnership for tax purposes, and has not elected to be treated as a corporation by the Internal Revenue Service (IRS). Both LLCs that claim corporate status and those that publicly traded would be treated as corporations for FECA purposes.

Please amend your report to clarify if the LLCs in question are treated as partnerships. If any apparently prohibited contribution in question was incompletely or incorrectly disclosed, you must amend your original report with clarifying information.

If you have received prohibited contributions, you must make a refund. (11 CFR § 103.3(b)(1)) The refund must be made within thirty (30) days of the treasurer becoming aware of the illegality of the contribution. (11 CFR § 103.3(b)(2))

Please inform the Commission of your corrective action immediately and provide a photocopy of any refund checks. Refunds must be reported on a Schedule B supporting Line 20(a) of the report covering the period in which the refund was made. (11 CFR § 104.8(d)(4))

Although the Commission may take further legal action, prompt action by you to refund the prohibited amount will be taken into consideration.

4. Commission Regulations require that a committee discloses the identification of all individuals who contribute in excess of \$200 in an election cycle. (11 CFR § 104.3(a)(4)(i)) Identification for an individual is defined as the full name (initials are not acceptable), complete mailing address, occupation, and name of employer. (11 CFR § 100.12) Your report discloses contributions from individuals for which the identification is not complete.

The attached employer and occupation entries appear on your report and are not considered acceptable.

You must provide the missing information or clarify the information provided. If you are unable to do so, you must demonstrate that "best efforts" have been used to obtain the information. To establish "best efforts," you must provide the Commission with a detailed description of

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your procedures for requesting the information. Establishing "best efforts" is a three-fold process.

First, your original solicitation must include a clear and conspicuous request for the contributor information and must inform the contributor of the requirements of federal law for the reporting of such information. (11 CFR § 104.7(b)(1)) See 11 CFR § 104.7(b)(1)(B) for examples of acceptable statements regarding the requirements of federal law.

Second, if the information is not provided, you must make one follow-up, stand alone effort to obtain this information, regardless of whether the contribution(s) was solicited or not. This effort must occur no later than 30 days after receipt of the contribution and may be in the form of a request via mail, e-mail or telephone documented in writing. (11 CFR § 104.7(b)(2)) Follow-up requests should be done, if necessary. The requests must:

- clearly ask for the missing information, without soliciting a contribution;
- inform the contributor of the requirements of federal law for the reporting of such information, and
- if the request is written, include a pre-addressed post card or return envelope.

Third, if you receive contributor information after the contribution(s) has been reported, you should either a) file with your next regularly scheduled report, an amended memo Schedule A listing all the contributions for which additional information was received; or b) file on or before your next regularly scheduled reporting date, amendments to the report(s) originally disclosing the contribution(s). (11 CFR § 104.7(b)(4))

Please amend your report to provide the missing information and a detailed description of your procedures for requesting the information. For more information on demonstrating "best efforts," please refer to the Campaign Guide for Congressional Committees and Candidates.

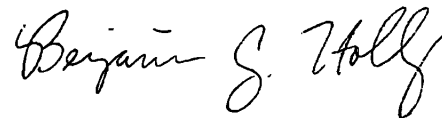
**Please note, you will not receive an additional notice from the Commission on this matter.** Adequate responses must be received by the Commission on or before the due date noted above to be taken into consideration in determining whether audit action will be initiated. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to

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taking enforcement action. **Requests for extensions of time in which to respond will not be considered.**

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. If you should have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1395.

Sincerely,



Benjamin J. Holly  
Campaign Finance Analyst  
Reports Analysis Division

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## Excessive and/or Prohibited Contributions

Cornilles for Congress (C00464107)

Amended October Quarterly Report (7/1/10 - 9/30/10), received 12/2/10

P = Primary Election

G = General Election

CONTRIBUTOR NAME	DATE	AMOUNT	ELECTION	MEMO
A&W Equipment Co.	9/30/2010	\$2,400.00	G2010	
Business Consulting Group LLC	8/19/2010	\$500.00	G2010	
Columbia Real Estate Services, LLC	9/7/2010	\$500.00	G2010	
Golden Optical	9/30/2010	\$300.00	G2010	
Austin, Joan D.	9/15/2009	\$5,000.00	P2010	
Austin, Joan D.	10/9/2009	-\$2,600.00	P2010	
Austin, Joan D.	2/16/2010	\$2,500.00	P2010	
Austin, Joan D.	2/16/2010	-\$2,400.00	P2010	X
Austin, Joan D.	2/16/2010	-\$100.00	P2010	X
Austin, Joan D.	3/2/2010	\$2,400.00	G2010	X
Austin, Joan D.	7/8/2010	\$1,200.00	G2010	
Bishop, Broughton H.	9/30/2010	\$4,800.00	G2010	
Carr, Kenneth	7/26/2010	\$4,800.00	G2010	
Fogg, Phillip G.	2/19/2010	\$4,800.00	P2010	
Fogg, Phillip G.	2/19/2010	-\$2,400.00	P2010	X
Fogg, Phillip G.	3/2/2010	\$2,400.00	G2010	X
Fogg, Philip G.	9/30/2010	\$2,400.00	G2010	
Golb, Richard	11/18/2009	\$2,000.00	P2010	
Golb, Richard	3/31/2010	\$1,000.00	P2010	
Golb, Richard	3/31/2010	\$1,000.00	P2010	X
Golb, Richard	4/28/2010	-\$600.00	P2010	X
Golb, Richard	4/28/2010	\$600.00	G2010	X
Golb, Richard	8/12/2010	\$1,000.00	G2010	
Golb, Richard	8/18/2010	\$1,400.00	G2010	
Graham, Leo	9/23/2010	\$4,800.00	G2010	

**Excessive and/or Prohibited Contributions****Cornilles for Congress (C00464107)****Amended October Quarterly Report (7/1/10 - 9/30/10), received 12/2/10****P = Primary Election****G = General Election**

CONTRIBUTOR NAME	DATE	AMOUNT	ELECTION	MEMO
Holzgang, Curtis R. MD	6/28/2010	\$1,000.00	G2010	
Holzgang, Curtis R.	9/3/2010	\$250.00	G2010	
Holzgang, Curtis R.	9/23/2010	\$2,000.00	G2010	
Holzgang, Curtis R.	9/23/2010	\$2,000.00	G2010	X
Holzgang, Curtis R.	11/20/2010	-\$600.00	G2010	X
Newsom, Karen C.	9/30/2010	\$2,500.00	G2010	
Platt, Jay L.	6/15/2010	\$2,400.00	G2010	
Platt, Jay L.	9/13/2010	\$200.00	G2010	
Sause, Dale	9/30/2010	\$4,800.00	G2010	
Spackman, Kent A.	6/22/2010	\$1,000.00	G2010	
Spackman, Kent A.	6/22/2010	\$2,400.00	G2010	
Spackman, Kent A.	6/22/2010	\$3,000.00	G2010	X
Spackman, Kent A.	8/18/2010	-\$1,000.00	G2010	X
Spackman, Kent A.	9/30/2010	\$1,200.00	G2010	
Wolcott, Guy R.	9/30/2009	\$4,800.00	P2010	
Wolcott, Guy R.	9/30/2009	\$4,800.00	P2010	X
Wolcott, Guy R.	11/2/2009	-\$2,400.00	P2010	X
Wolcott, Guy R.	11/2/2009	\$2,400.00	G2010	X
Wolcott, Guy R.	9/30/2010	\$4,800.00	G2010	



Inadequate Employer/Occupation Entries  
Cornilles for Congress (C00464107)  
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Employer	Occupation
Self	Business Owner
Information Requested	Information Requested
Intel	Information Requested
Self	Information Requested
Information Requested	Shipping Executive

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